

capital to not-for-profits who contribute to economic and community development. NYCIC currently has over \$25 million under management.

Formerly, Mr. Sommer was a principal in several privately owned corporations involved in related funding activities to the business community. For twenty years, he served as President of U.S. Capital Corporation and Fundex Capital Corporation-managing in excess of \$100 million in small business investments and loans.

Mr. Sommer was also active in the federally administered Small Business Investment Company (SBIC) program. After several years as a board and executive committee member, he served as Chairman of the National Association of SBIC in 1994. During that time, he worked closely with the Congress, the Small Business Administration and the Investment Advisory Council to improve the federal government's efforts to assist small business on a national level.

Earlier in his professional career, he held various management positions with IBM and XEROX corporations.

Mr. Sommer holds a Bachelor's degree in Electrical Engineering from the City College of New York and attended NYU's Graduate School of Business. He serves as a director of several public and private business corporations and, with his wife Arlene, have a long history of involvement in charitable causes. He looks forward to continuing his support of the Institute for Community Living and the valuable services it provides to the people of New York City.

Mr. Speaker, I would like you and my colleagues from both sides of the aisle to join me in honoring Mr. Howard F. Sommer for his invaluable service to the Institute for Community Living and the Brooklyn community.

HONORING THE MEMORY OF DR. KENNETH JERNIGAN, PRESIDENT EMERITUS OF THE NATIONAL FEDERATION OF THE BLIND

HON. ROBERT L. EHRLICH, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. EHRLICH. Mr. Speaker, I rise to pay my respects to Dr. Kenneth Jernigan, who passed away on Monday, October 12, 1998, after a courageous fight with cancer. I offer my warmest sympathies to his family, friends, and the National Federation of the Blind, the organization for which he served as one of its principal leaders for more than forty-five years.

I have greatly admired and respected Kenneth Jernigan and the National Federation of the blind since my days in the Maryland State Legislature as a state delegate. With chapters in every state and almost every community, the Federation is the nation's oldest and largest organization of blind persons. Its influence today serves as a reminder of the culmination of Kenneth Jernigan's lifetime work and commitment to improving the quality of life for the blind throughout this nation and the world.

Occasionally, an issue is brought to my attention where I can seek a meaningful legislative remedy for a substantial number of people. Four years ago, with the assistance of Dr. Jernigan and the Federation, I began to work

with my colleagues in the House to reestablish the Social Security earnings test link between senior citizens and the blind. Dr. Jernigan emphasized to me how the "de-linkage" of this historic tie would have a negative impact to the self esteem of blind workers, preventing them from pursuing better employment opportunities. In his memory, I pledge to continue pushing for bipartisan legislation to restore this important incentive.

Dr. Jernigan will be greatly missed. His selfless accomplishments on behalf of the blind and the sighted are immeasurable. Because of his example, many of us will do the right thing by furthering his good work. It has been a great honor to have worked with such an influential and highly respected leader.

In conclusion, I would respectfully enter into the RECORD one of Dr. Jernigan's favorable sonnets, "Remember" by Christiana Rossetti:

Remember me when I am gone away,
Gone far away into the silent land;
When you can no more hold me by the hand,
Nor I half turn to go yet turning stay.
Remember me when no more day by day,
You tell me of our future that you planned;
Only remember me; you understand,
It will be late to counsel then or pray.
Yet, if you should forget me for a while,
And afterwards remember, do not grieve;
For if the darkness and corruption leave
A vestige of the thoughts that once I had,
Better by far you should forget and smile,
Than that you should remember and be sad.

CARDINAL GEORGE DELIVERS
HOMILY AT RED MASS CELEBRATED AT ST. MATTHEW'S CATHEDRAL

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. HYDE. Mr. Speaker, on October 4th of this year, the new Cardinal Archbishop of Chicago delivered the homily at the Red Mass held at St. Matthew's Cathedral here in Washington, DC.

The Red Mass is traditionally celebrated on the Sunday prior to the first Monday in October, which marks the beginning of the Supreme Court's new term.

Permit me to share Cardinal George's inspiring homily with my colleagues.

HOMILY: 1998 RED MASS

ST. MATTHEW'S CATHEDRAL; WASHINGTON, DC,
OCTOBER 4, 1998

Francis Cardinal George, OMI
Archbishop of Chicago

Your Eminence, Cardinal Hickey, Your Excellency, Archbishop Cacciavillan, Members of the judiciary and of the bar and of the government and Congress, Members of the John Carroll Society and friends.

The picture of Jesus given us by the evangelist Luke places him in the synagogue of Nazareth, his home town, ready to begin his public ministry under the inspiration of the Holy Spirit. This was to be his only, his last occasion to preach in Nazareth, for his mission took him elsewhere in Judea and Israel and, finally, to his death outside Jerusalem. In the mission and preaching of his disciples after Jesus' resurrection from the dead, Luke has Jesus taken farther: to Antioch and Corinth and Rome, to the ends of the earth.

In Luke's Gospel, Jesus does not preach until after listening and proclaiming the word of God. In the text within our Gospel text, the prophet Isaiah proclaims a time of Jubilee, of deliverance from captivity, a time of liberation; only then does Jesus speak and explain the prophet in such a way—"This day, these words are fulfilled in your hearing." That Jesus' friends and neighbors, far from being liberated by his words, took him to the edge of the hill on which their city was built and tried to kill him. Jesus listened, he spoke, he escaped to take up elsewhere the mission given him by his Father. That mission makes possible our coming together today at this end of the earth as we and the entire world, with renewed self-consciousness as a globe, look toward the celebration of a new millennium.

If we today believe that where there is Jesus there is Jubilee, how is it that we are still enslaved? Every five years, as you may know, each bishop of the Catholic Church goes to Rome to pray at the tombs of Peter and Paul; then he goes in to talk with Peter's successor. This year, the bishops of the United States are making their visits *ad limina apostolorum*, and the bishops of Illinois, Indiana and Wisconsin made theirs together last May. When I went in to talk with the Holy Father, he listened politely as I explained that the report he had received had been drawn up by my staff since I had only recently come to Chicago. He looked at it, put it aside and asked me a single question: "What are you doing to change the culture?" I was surprised, but shouldn't have been, for the Pope has spoken often of how culture liberates us, creates the world in which what is best in human experience can be passed on and celebrated and of how, conversely, culture can also blind us, enslave us and must sometimes be changed in the light of God's word.

Taken by surprise, I spontaneously began to speak to the Holy Father about the Church's relation to the legal profession in Chicago, of the many contacts and gatherings, of the several Chicago priests who are also civil lawyers, of the pro bono work for the poor, of the Catholic law schools and of many initiatives similar to what takes place here through the good offices of the members of the John Carroll society. Then I backed up and began to explain that, in the United States, the law is a primary carrier of culture. In a country continuously being knit together from so many diverse cultural, religious, and linguistic threads, legal language most often creates the terms of our public discourse as Americans. A vocation to make and to serve the law is a calling to shape our culture.

We live in worded worlds. If there is no common language, very likely there is no common vision and citizens find themselves trapped in separate worlds. Listening to God's liberating word, in this Mass and elsewhere, believers must wonder where the language of civil law and the language of faith might share a common vocabulary. The Catholic Church has tried for some generations to speak here a language of natural law, a language that presupposes God speaks in nature as well as in history, a language, therefore, able to speak of God's ways without explicitly confessional terminology. But our various attempts have not really provided a dictionary shared between American culture and Catholic faith. The National Conference of Catholic Bishops often tries to speak the language of policy, hoping that well argued policy statements will influence legal discussion; but the common understanding generated has clear limitations. There is the language of Holy Scripture itself, common to great extent to all Christians and Jews, but the Bible's phraseology

and stories are no longer common cultural parlance in our country.

Speaking, in order to be heard today, a language largely shorn of religious nuances, the believer can still ask two questions of the vision behind legal discourse:

First, can the vision of courts and legislatures expand to see at least dimly God's actions and purposes in history? Abraham Lincoln of Illinois used public language to speak of God's purpose at the end of a bloody American civil war: "With firmness in the right, as God gives us to see the right, let us strive to finish the work we are in." Lincoln, who wrestled like a biblical prophet with God's purposes in history and his judgment on this nation, grew, because of his public service, in his ability to bring together, always tentatively, the law he defended finally with his own and God's word which, like a two-edged sword, cuts through the rhetoric of public as well as personal deceit. Lincoln knew that God judges nations as well as persons, and he forged a language which, at the end, placed even the personal liberty to which this nation was dedicated second to the designs of God himself. Are we permitted to speak similarly today or must the language of law, rather than setting use free, blind us and leave us mute in any world not constructed by our private interests and intentions?

And a second question, put to use often these days by Pope John Paul II: does the vision of the human person found in public laws and decisions adequately express what it means to be human? Do our laws not only protect contracts but also tend to force all human relations into them? Is the language of contract becoming the only public language of America? Does the model of association which is accorded public rights tend more and more to constrain or even exclude the natural family, the life of faith, cultural and racial groupings, relations which cannot be unchosen without destroying the human persons shaped by them.

Christian faith gives us a vision of a person we call the Word of God, made flesh. Crucified and risen from the dead, Jesus sends us the Holy Spirit, who speaks every language and gives every good gift. This vision should set us free from any lesser picture of things; the language of faith should keep us from supposing that we adequately understand reality in its depths and heights. This is a vision that should humble and, in humbling us, open us to other worlds. Approaching a third Christian millennium (using what is now a common calendar), we gather to worship the God we believe to be the Father of Our Lord Jesus Christ and therefore, in Christ, our Father as well. It is good to do so, for if we do not worship God we will inevitably end up worshipping ourselves. Nations worshipping themselves have plagued this last century of the second millennium, and God's word prompts us now to examine a new ourselves and our history. Without warrant, we have associated ourselves with the biblical city on a hill, not Nazareth but Jerusalem itself. Without right, we too often judge other peoples and nations by our standards and interests, assuming that our interests must be universal. Without sense, we even seriously consider if this nation is the end of history, as if our present political and economic arrangements were surely the culmination of God's designs for the universe. Lincoln, who had the good grace to speak of us only as an "almost chosen people", would surely blush, and so should we.

Today, as yesterday and tomorrow, the Church speaks a language of respect for public office holders, whose vocation is shaped by the constraints of law; both the Church, today as yesterday and tomorrow, also speaks as best she can to judge the actions

and decision of public officials, and the culture shaped by them, when these are inadequate to the vision given us by the truths of faith. "Faith must become culture," Pope John Paul II says. "What are you doing to change the culture?" he asks. But how can we speak of change in America today when the law itself blinds us to basic truths? One egregious blind spot is our very sense of liberation construed as personal autonomy. An autonomous person has no need of jubilee, of freedom as gift; he has set himself free. The fault line that runs through our culture, and it is sometimes exacerbated rather than corrected by law, is the sacrificing of the full truth about the human person in the name of freedom construed as personal autonomy. It is a blind spot as deep as that in Marxism's sacrifice of personal freedom in the name of justice construed as absolute economic equality. Such a profound error makes our future uncertain. Will the United States be here when the human race celebrates the end of the third millennium? Not without a very changed, a very converted culture.

The Church, however, must also listen first to God's word before she speaks, before she translates God's word into the words of our culture or any other. Hence the Church can speak only with deep humility a language which purports to give definitive access to God's designs in history. Even prophetic judgment, while certain in its proclamation, is tentative in its final outcome. The Spirit is always free, but never self-contradictory.

Tentatively, then, let us try the language of prayer and ask that God's judgment fall lightly on us and our nation. Gratefully, I pray that God reward your dedication to public service and your desire to create a common language adequate to the experience of all our people and open to all others. Joyfully, let us hope that the Jubilee introducing the coming millennium may restore to the United States a sense of authentic freedom rooted in an ever-growing generosity of spirit. May God bless us all. Amen

HONORING MRS. ELIZABETH TERWILLIGER

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Ms. WOOLSEY. Mr. Speaker, I rise today to honor a truly outstanding and special woman in my Congressional District, Mrs. Elizabeth Terwilliger. Everyone knows her as "Mrs. T," and it's not an understatement when I say that almost everyone in Marin County, California, knows Mrs. T. Her devotion to people and the environment has made Mrs. T legendary, and has truly shown what a very special person she is.

As an internationally recognized environmentalist and naturalist, Mrs. T has molded generations of nature lovers who now care for our nature trails the way she does. For the last four decades, hundreds of families in Marin County have joined Mrs. T for her renowned nature walks. No one has cared for Marin County's pristine, natural surroundings the way she has, which is why the exceptional Elizabeth Terwilliger Nature Education Center was dedicated in her honor.

The Nature Center was founded to foster Mrs. T's unique multi-sensory teaching technique that advances the exploration of our environment. The Center allows children to discover nature through a variety of field trips

and educational resources, and arranges the famed nature walks for all ages. Last year alone, these wonderful programs involved 70,000 children from the Bay Area in the wonders of nature and the stewardship needed to preserve it.

Recently, the legions of Elizabeth Terwilliger's fans gathered in Olompali State Park in Novato, California to celebrate her 89th birthday. Fittingly, these events are as spontaneous and special as Mrs. T herself. Families brought picnics to the park to enjoy the company of each other and the wonderful woman who brought them all together. This year, a wonderful bronze statue of Elizabeth was unveiled as part of the celebration.

I would like to take this opportunity to salute Mrs. T and offer my sincere birthday wishes. She is what makes California's Sixth Congressional District so wonderful. Elizabeth Terwilliger's curiosity and passion for both nature and people has been infectious among Marin County residents, and that is her gift to us all. I am proud to honor this living legend, and I ask my colleagues to please join me in recognizing Mrs. Elizabeth Terwilliger.

TAXATION OF FOREIGN OPERATIONS OF U.S. ELECTRIC AND GAS UTILITIES

HON. JIM MCCRERY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 20, 1998

Mr. MCCRERY. Mr. Speaker, today, I am introducing legislation to remedy a problem brought to my attention by the U.S. utility industry involving the taxation of foreign operations of U.S. electric and gas utilities. These firms were prohibited for many years from doing business abroad until the National Energy Policy Act (NEPA), enacted in 1992, removed that prohibition. With passage of NEPA, and as some foreign governments began privatizing their national utilities and increasing energy demands necessitated the construction of new facilities to fulfill the new capacity, U.S. utilities began to make foreign investments. Since 1992, U.S. utility companies have made significant investments in utility operations in the United Kingdom, Australia, Eastern Europe, and South America.

Foreign utilities are particularly attractive investments from a U.S. viewpoint. They are not "runaway plants", but rather stimulate job creation in the U.S. in design, architecture, engineering, construction and heavy equipment manufacturing. When the subsidiary of an U.S. utility builds generating plants, transmission lines, or distribution facilities to serve its foreign customers, these most often come from U.S. suppliers. Given that the U.S. energy market is mature, overseas investments are a good way for U.S. utilities to diversify and grow, to the benefit of their employees and their shareholders.

Unfortunately, the Internal Revenue Code penalizes these investments by subjecting them to double taxation. Under the foreign tax credit rules, the interest expense of a U.S. person is allocated in part to its foreign operations based on the theory of the "fungibility of money." The allocation formula in Internal Revenue Code section 864 requires U.S. domestic interest expense to be allocated based